United Nations A/71/409–S/2016/816

General Assembly
Security Council

Distr.: General
29 September 2016

Original: English

General Assembly
Seventy-first session
Agenda item 31
Prevention of armed conflict

Security Council
Seventy-first year

Letter dated 28 September 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement of the Ministry of Foreign Affairs of Ukraine on the publication of the MH17 Joint Investigation Team's preliminary results (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 31, and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

16-16855 (E) 031016

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Annex to the letter dated 28 September 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs on the publication of the MH17 Joint Investigation Team's preliminary results

28 September 2016

Today, a Joint Investigation Team composed of representatives of Ukraine, the Netherlands, Malaysia, Australia and Belgium presented the preliminary results of the criminal investigation into the downing of Malaysian Airlines flight MH17.

The publication of this information is an important milestone towards our ultimate common goal: bringing to justice all those responsible for downing the aircraft. It is our moral duty to the 298 victims and their relatives and friends.

It is important to underline that the preliminary results of the criminal investigation have confirmed the findings of the technical report published last October by the Dutch Safety Board, namely, that the crash was caused by the explosion of a warhead launched from a "Buk" anti-aircraft missile system.

All other possible causes of this horrible tragedy were considered and rejected during the course of the criminal investigation. This puts an end to all of Russia's attempts to discredit activities of the Joint Investigation Team and conclusions by spreading distorted or fabricated information.

Today's report also includes a new and very important element: information about the route of the weapon, via which it was transported to Ukraine from Russia and then moved in the opposite direction through a sector of the Ukrainian-Russian border controlled only by Russia and its militants.

This information once again points to the direct involvement of the State-aggressor in downing the aircraft. An investigation into specific suspects' affiliation and place in the chain of command is ongoing in order to submit the cases to the appropriate court in the near future.

Of course, the most effective method of prosecution would be to establish an international tribunal under the auspices of the United Nations Security Council. Despite broad international support for this idea, Russia was the only country to veto a resolution on the establishment of such a mechanism in the United Nations Security Council. In this regard, the States involved in the investigation continue to work to identify the mechanism through which those responsible for the catastrophe will be brought to account.

Ukraine and the four other countries concerned will continue to provide full support to the Joint Investigation Team and do everything possible to facilitate the criminal investigation.

Successful completion of the investigation requires the continued support and cooperation of the countries, as provided for in United Nations Security Council resolution 2166 (2014).

We call on all countries to cooperate with the criminal investigation. We expect that Russia, under pressure from the international community, will finally begin to fulfil United Nations Security Council resolution 2166 (2014) as well as its international obligations.